IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 4353 OF 2006
IN
SUIT NO. 2735 OF 1984

The Malegaon Sahakari Sakhar Karkhana Ltd. ..Plaintiffs

versus

Abdul Rehman Antulay & Ors. ..Defendants

Mr. Sachin Satpute i/b. M/s. M/s. Satpute & Co. for the Plaintiffs.

Mr. R. V. Pai with Mr. Mohanti i/b. M/s. Kirit Damania & Co. for the Defendant No.1.

CORAM : S. J. VAZIFDAR, J.

DATE : 11TH SEPTEMBER, 2007

P.C.

1. The facts in this Notice of Motion are identical to the facts in Review Petition No. 30 of 2005 in Suit No. 3088 of 1984. In view of the Order dated 29.6.2006 in the said Review Petition, the Notice of Motion is made absolute in terms of prayers (a), (b) and (c) only in respect of the Defendant No.1 as this Notice of Motion is taken out only by the Defendant No.1.

2. Defendant No.1 waives service of the Writ of Summons.